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WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER &			PATEL, ASHOKKUMAR B		
SEELEY) 60 EAST SOUT	ГН ТЕМРГЕ	·	ART UNIT	PAPER NUMBER	
1000 EAGLE GATE TOWER			2154		
	SALT LAKE CITY, UT 84111			DATE MAILED: 10/04/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Ť :		Application No.	Applicant(s)			
		09/774,965	BRACEWELL ET A	BRACEWELL ET AL.		
	Office Action Summary	Examiner	Art Unit			
		Ashok B. Patel	2154			
Period fo	The MAILING DATE of this communication or Reply	n appears on the cover sheet with	the correspondence add	ress		
A SHOTHE I - Exter after - If the - If NO - Failu	ORTENED STATUTORY PERIOD FOR RIMAILING DATE OF THIS COMMUNICATION of time may be available under the provisions of 37 CI SIX (6) MONTHS from the mailing date of this communication period for reply specified above is less than thirty (30) days, period for reply is specified above, the maximum statutory per to reply within the set or extended period for reply will, by steply received by the Office later than three months after the end patent term adjustment. See 37 CFR 1.704(b).	ON. FR 1.136(a). In no event, however, may a repling. The reply within the statutory minimum of thirty (heriod will apply and will expire SIX (6) MONTH statute. cause the application to become ABAN	y be timely filed 30) days will be considered timely. IS from the mailing date of this con IDONED (35 U.S.C. § 133).	nmunication.		
Status						
1)[🛛	Responsive to communication(s) filed on	<u>30 July 2004</u> .	,			
2a)⊠	This action is FINAL . 2b)□	This action is non-final.				
3)[Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Dispositi	ion of Claims					
5)□ 6)⊠ 7)□	Claim(s) 1-43 is/are pending in the application of the above claim(s) is/are with Claim(s) is/are allowed. Claim(s) 1-43 is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restriction as	hdrawn from consideration.				
Applicat	ion Papers					
9)□	The specification is objected to by the Exa	miner.		•		
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
11)	Replacement drawing sheet(s) including the c The oath or declaration is objected to by the					
Priority (under 35 U.S.C. § 119					
a)	Acknowledgment is made of a claim for fo All b) Some * c) None of: Certified copies of the priority documents. Certified copies of the priority documents. Copies of the certified copies of the application from the International Besee the attached detailed Office action for	ments have been received. ments have been received in App priority documents have been re ureau (PCT Rule 17.2(a)).	olication No eceived in this National S	Stage		
Attachmen	nt(s)					
2) Notice 3) Infor	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-94 mation Disclosure Statement(s) (PTO-1449 or PTO/Ser No(s)/Mail Date	8) Paper No(s)/	mmary (PTO-413) Mail Date ormal Patent Application (PTO-	-152)		

Art Unit: 2154

DETAILED ACTION

1. Application Number 09/774, 965 was filed on 01/31/2001. Claims 1-43 are subject to examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-31, 34-37 and 39-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Dan Johnson (hereinafter Dan) (Circuit Cellar Ink, February 1998).

Referring to claims 1, 2 and 3,

The reference teaches in a network that includes one or more network devices that have Web browsers implemented thereon, the network devices being network connectable to a network server (Page 40, center column, "And, users of nonPC devices gain faster access to web content that looks good on their devices."), the network also including a data server that is in communication with the network server, wherein the network server sends displayable content to the network devices, and wherein the one or more network devices may request data that is stored in the data server even though the data server itself is not configured to present the data as displayable content (page 40, center column, "To meet current needs, Spyglass Prism converts existing Web content for a variety of devices on-the-fly. Content providers can maintain a single version of their content on a server for use with all devices without any proprietary HTML tags or resorting to entirely new markup languages."), a method for

Art Unit: 2154

rendering data from the data server to create displayable content (Page 40, center and right columns, "It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client."), comprising:

an act of the network server receiving a request for displayable content from a first network device(Page 40, center and right columns, "It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client.");

an act of identifying a template for the displayable content based on bandwidth available to send the displayable content to the first network device, the template including displayable portions as well as one or more tokens that represent non-displayable data that is stored on the data server (page 42, left column, "The device database offers information about each type of device such as display resolution (identifying a template for the displayable content based on bandwidth available to send the displayable content to the first network device) and supported image formats (GIF, JPEG) and HTML tags(the template including displayable portions as well as one or more tokens that represent non-displayable data that is stored on the data server).;

an act of accessing the non-displayable data from the data server; an act of the network server following the identified template to construct the displayable content by performing the following acts: an act of including displayable portions in the displayable content as specified in the identified template; an act of processing the non-displayable data accessed from the data server, the processing functions specified by the identified

Art Unit: 2154

template, wherein the non-displayable data become displayable upon processing; and an act of including the processed non-displayable data in the displayable content as specified in the identified template; and an act of sending the displayable content to a second network device. (page 41, left column, 4th and 5th paragraphs. and page 42, left column, 4th paragraph). The reference also teaches that the communications protocol for the web is the hypertext transfer protocol ("HTTP") and other communication protocols for other Internet communication tools include the file transfer protocol or FTP, and other Web client technologies. (page 44, center column, 4th paragraph). Thereby, the reference discloses that the requesting first network device and receiving second network device are the same or different depends on the communication protocol used such as HTTP or FTP.

Referring to claims 4, 5, 20 and 21,

The reference teaches the method as recited in claim 1, wherein the displayable content comprises a HyperText Markup Language (HTML) document, and wherein the displayable portions comprise HTML tags. (page 42, left column, "The device database offers information about each type of device such as display resolution (identifying a template for the displayable content based on bandwidth available to send the displayable content to the first network device) and supported image formats (GIF, JPEG) and HTML tags.")

Referring to claim 6, 7, 22 and 23,

The reference teaches the method as recited in claim 1, wherein the request for displayable content comprises information allowing the network server to identify the web browser type that will be used on the network device to display the displayable content, and wherein the request for displayable content comprises information expressly identifying the Web browser type that will be used on the network device to display the displayable content. (page 41, right column,5th paragraph, "Identifying the user, and the type of device and browser, is the beginning of the content conversion process.")

Referring to claims 8 and 24,

The reference teaches the method as recited in claim 1, wherein the processing functions to be performed comprises processing one or more tokens to convert the non-displayable data so as to be displayable. (page 41, left column, 2nd, 3rd and 4th paragraphs)

Referring to claims 9, 10, 17, 25 and 26,

The reference teaches the method as recited in claim 1, wherein the request for displayable content comprises language information identifying the language to be used in the displayable content, the method further comprising the following: an act of identifying the language based on the language information., and wherein the language information comprises an express language indication, the method further comprising the following: an act of identifying the language based on the express language indication. (page 41, right column,5th paragraph, "Identifying the user, and the type of device and browser, is the beginning of the content conversion process.")

Referring to claims 11, 12, 27 and 28,

The reference teaches the method the method as recited in claim 1, wherein the network server and the data server are physically integrated, and wherein the network server and the data server are physically separate. (page 40, center column, 4^{th} paragraph thru right column, 2^{nd} paragraph)

Referring to claims 13,14, 29 and 30,

The reference teaches the method as recited in claim 1, wherein the act of the network server receiving a request for displayable content comprises the following: an act of the network server receiving a request for displayable content via network messaging.

(page 44, center column, 4th paragraph)., and wherein the act of the network server receiving a request for displayable content comprises the following: an act of the network server receiving a request for displayable content via receiving a call to an Application Program Interface (API). (page 42, left column, 2nd paragraph).

Referring to claims 15, 16, 18 and 19,

The reference teaches in a network that includes one or more network devices that have Web browsers implemented thereon, the network devices being network connectable to a network server (Page 40, center column, "And, users of nonPC devices gain faster access to web content that looks good on their devices."), the network also including a data server that is in communication with the network server, wherein the network server sends displayable content to the network devices, and wherein the one or more network devices may request data that is stored in the data server even though the data server itself is not configured to present the data as displayable content (page 40, center column, "To meet current needs, Spyglass Prism

Art Unit: 2154

converts existing Web content for a variety of devices on-the-fly. Content providers can maintain a single version of their content on a server for use with all devices without any proprietary HTML tags or resorting to entirely new markup languages."), a method for rendering data from the data server to create displayable content (Page 40, center and right columns, "It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client."), comprising:

an act of the network server receiving a request for displayable content from a first network device, the request indicating a Web browser type that is implemented on the first network device; (Page 40, center and right columns, "It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client.", page 41, right column,5th paragraph, "Identifying the user, and the type of device and browser, is the beginning of the content conversion process.")

an act of identifying a template for the displayable content based on bandwidth available content to the first network device, the template including displayable portions as well as one or more tokens that represent non-displayable data that is stored on the data server(page 42, left column, "The device database offers information about each type of device such as display resolution (identifying a template for the displayable content based on bandwidth available to send the displayable content to the first network device) and supported image formats (GIF, JPEG) and HTML tags(the

Art Unit: 2154

template including displayable portions as well as one or more tokens that represent non-displayable data that is stored on the data server);

an act of accessing the non-displayable data from the data server; a step for constructing the displayable content so as to represent both the displayable portions and the non-displayable data; and an act of sending the displayable content to the network device., and wherein the step for constructing displayable content comprises the following: an act of including displayable portions in the displayable content as specified in the identified template; an act of processing the non-displayable data accessed from the data server, the processing functions specified by the identified template, wherein the non-displayable data become displayable upon processing; and an act of including the processed non-displayable data in the displayable content as specified in the identified template. (page 41, left column, 4th and 5th paragraphs. and page 42, left column, 4th paragraph). The reference also teaches that the communications protocol for the web is the hypertext transfer protocol ("HTTP") and other communication protocols for other Internet communication tools include the file transfer protocol or FTP, and other Web client technologies. (page 44, center column, 4th paragraph). Thereby, the reference discloses that the requesting first network device and receiving second network device are the same or different depends on the communication protocol used such as HTTP or FTP.

Referring to claim 31,

Claim 31 is a claim to a computer program product on a computer-readable medium carrying computer-readable instructions, that when executed at the network server,

Art Unit: 2154

cause the network server to perform the steps of method 1. Therefore, claim 31 is rejected for the reasons set forth for the claim 1.

Referring to claims 34 and 35,

Claims 34 and 35 are claims to a computer program product on a computer-readable medium carrying computer-readable instructions, that when executed at the network server, cause the network server to perform the steps of method of claims 9 and 10. Therefore, claims 34 and 35 are rejected for the reasons set forth for the claims 9, 10, 17, 25 and 26.

Referring to claims 36 and 37,

The reference teaches the computer program product as recited in claim 31, wherein the network server and the network device are the same device., and wherein the network server and the data server are the same device. (Page 40, center and right columns, "It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client.", thereby the reference teaches the software can be implemented on any computing devices taught by the reference.")

Referring to claims 39 and 41,

The reference teaches a computer-readable medium (Page 40, center and right columns, "It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client.") for use in a network that includes one or more network devices that have Web browsers implemented thereon, the network devices

Art Unit: 2154

being network connectable to a network server(Page 40, center column, "And, users of nonPC devices gain faster access to web content that looks good on their devices."), the network also including a data server that is in communication with the network server, wherein the network server sends displayable content to the network devices, and wherein the one or more network devices may request data that is stored in the data server even though the data server itself is not configured to present the data as displayable content (page 40, center column, "To meet current needs, Spyglass Prism converts existing Web content for a variety of devices on-the-fly. Content providers can maintain a single version of their content on a server for use with all devices without any proprietary HTML tags or resorting to entirely new markup languages."), the computer-readable medium storing data for access by a program module being executed on the network server, the computer-readable medium, the data structure comprising:

A data structure stored on the computer-readable medium, the data structure including compiled template data to be used by the program module, data structure comprising:

a data dictionary data object that identifies data to be accessed from the data server (Page 40, center and right columns, "It is intermediary server software that receives requests from a client (the device), makes requests for documents on behalf of that client, and returns the appropriate content to the client." The reference teaches the claimed element as being an inherent requirement.);

a template constant data object that identifies constants associated with the template; a functions data object that identifies functions associated with the template; a

Art Unit: 2154

token information table data object that identifies locations in the template associated with the data dictionary data object, the template constant data object, and the functions data object; and an HTML data that identifies native HTML associated with the template., and wherein the field data dictionary data object includes identification of non-displayable data to be accessed on the data server. (page 42, left column, "The device database offers information about each type of device such as display resolution and supported image formats (GIF, JPEG) and HTML tags. ", 4th, 5th and 6th paragraphs. The reference teaches the claimed elements as being the inherent requirement.)

Claim Rejections - 35 USC § 103

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 5. Claims 32, 33, 38, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dan Johnson (hereinafter Dan) (Circuit Cellar Ink, February 1998) in view of Official Notice.

Referring to claims 32, 33, 38, 42 and 43,

An Official Notice is taken for the computer-readable instructions and computer readable medium having data structure (physical storage) which by virtue causes the implementation of the method such as of claims 31 and 39 and it itself is non-

Art Unit: 2154

displayable data and not accessible to the network device. This provides security against changes/ alterations by the personnel which are not authorized to access or change.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2154

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Abp

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